

## **Minneapolis City Planning Department Report**

Conditional Use Permit Application  
For Planned Unit Developments &  
Site Plan Review (BZZ-779)

**Date:** September 9, 2002

**Date Application Deemed Complete:** July 23, 2002

**End of 60 Day Decision Period:** September 22, 2002

**Applicant:** Minneapolis Institute of Arts

**Address Of Property:** 2400 3<sup>rd</sup> Avenue South

**Contact Person And Phone:** Hans Dekker – RSP Architects 612-677-7171

**Planning Staff And Phone:** Jim Voll 612-673-3887

**Ward:** 6     **Neighborhood Organization:** Whittier

**Existing Zoning:** OR3 Institution Office Residence District

**Proposed Use:** Addition to the museum's west side.

**Previous Actions:** A conditional use permit and planned unit development (C-271) to allow the vacation of East 25<sup>th</sup> Street, expansion of the museum, art school, children's theater, and dorms, and to allow the construction of the parking ramp on 3<sup>rd</sup> Avenue South was approved on February 23, 1973. A variance (V-3169 & V-3180) to reduce the required 15-foot setback on Stevens Avenue South to zero feet to allow a surface parking lot was denied in July of 1990.

**Concurrent Review:** The proposed addition also requires Heritage Preservation Commission (HPC) and Park Board approval. On July 17, 2002 the HPC approved a certificate of appropriateness for the proposed addition. On August 21, 2002 the Park Board approved the schematic design for the expansion and found that the expansion is in conformance with the terms of the deed restrictions on the property. Please see attached staff reports to the HPC and Park Board.

**Appropriate Section(s) of the Zoning Code:** Chapter 527 Planned Unit Developments, Chapter 547 Office Residence Districts, & Chapter 530 Site Plan Review.

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**Background:** The Minneapolis Institute of Arts (MIA) is located between East 24<sup>th</sup> Street and East 25<sup>th</sup> Street (vacated) and Stevens and 3<sup>rd</sup> Avenues South. The original MIA building was completed in 1915 and a major expansion was completed in 1974. The proposed expansion would add approximately 117,000 square feet.

A museum is a permitted use in the OR3 Office Residence District. The building meets all of the required setback and height limitations of the Zoning Code. However, since the 1974 museum expansion put the campus under a planned unit development, the expansion requires an amendment to the planned unit development. In addition, since the development is over 20,000 square feet, site plan review and approval is required for the expansion and the surface parking lots.

The development can't provide all of the parking required by the Zoning Code, so a reduction in required parking is being requested as a part of the planned unit development. A Travel Demand Management (TDM) is required for developments over 100,000 square feet. A TDM plan has been completed to address the parking issue. As of the writing of this staff report it is pending approval by Public Works and the Planning Department. It is anticipated that it will be approved by the September 9, 2002 City Planning Commission meeting. Please see the attached copy of the TDM plan.

The proposed addition also requires Heritage Preservation Commission (HPC) and Park Board approval. On July 17, 2002 the HPC approved a certificate of appropriateness for the proposed addition. On August 21, 2002 the Park Board approved the schematic design for the expansion and found that the expansion is in conformance with the terms of the deed restrictions on the property. Please see attached staff reports to the HPC and Park Board.

This project was presented to the Whittier Alliance on five separate occasions:

- April 15, 2002 – Transportation and Land Use Planning Committee
- June 18, 2002 – Executive Committee
- July 10, 2002 – Business Association
- July 15, 2002 – Transportation and Land Use Planning Committee
- July 25, 2002 – Whittier Alliance Board Meeting

The Whittier Alliance Board passed a motion to “support the concept of the Minneapolis Institute of Arts expansion proposal, provided the plans take into account increased traffic and parking impacts on the neighborhood.” Please see the attached letter from the Whittier Alliance.

Residents in the surrounding neighborhood have raised concerns over the size of the expansion, the design of the loading docks, the shadowing the building will cause, and other issues. Please see attached letters for a more detailed description.

**Findings As Required By The Minneapolis Zoning Code For Conditional Use Permits:**

The Minneapolis City Planning Department has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

- 1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

The proposed development meets all setback, floor area ratio, and height requirements of the Zoning Code. The site will be landscaped per the requirements of the site plan review chapter. A Travel Demand Management (TDM) plan has been developed to address parking issues. Public Works has approved the design of the loading dock and the HPC has approved the design of the building's exterior. With proper conditions of approval and compliance with the above noted items the proposed development should not be detrimental to the public health, safety, or welfare.

- 2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

With proper conditions of approval and compliance with the approved TDM and site plan review the expansion should not be injurious to the use and enjoyment of other property. The surrounding area is fully developed so the expansion should not impede orderly development.

- 3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

Utilities and access roads are existing and adequate. A drainage plan will be reviewed and approved by Public Works at the final site plan stage. Public Works has done a preliminary review of the drainage plan and finds it acceptable. The site is over an acre and is subject to the City's stormwater management ordinance and erosion control ordinance. Erosion control and stormwater management plans will be reviewed and approved by Public Works at the final site plan stage.

- 4. Adequate measures have been or will be taken to minimize traffic congestion in the public streets.**

Ingress and egress is adequate for the parking areas. The maneuvering and access to the loading docks will occur on site for smaller trucks. For larger trucks it will occur on Stevens Avenue. This access plan has been reviewed and approved by Public Works.

**5. Is consistent with the applicable policies of the comprehensive plan.**

*The Minneapolis Plan* states the following about the arts in Minneapolis:

“The Twin Cities region has always made a special place for the arts in its midst. Some of the region’s arts institutions have a long history in Minneapolis. Only a small handful are profiled in this chapter, but the number of participant institutions and the contribution they make to the community is unparalleled in the Upper Midwest.

As the arts brings people together around issues of common interest, they also make considerable monetary contributions to the immediate economy. The presence of large scale arts institutions like the Walker Art Center, the Guthrie Theater, Minnesota Orchestra, The Minneapolis Institute of Arts, the Minnesota Opera and the Children's Theatre Company entices more than 3 million people to attend performances, give courses, and perform in the Twin Cities each year. The Broadway theater market in Minneapolis was recently ranked the sixth largest in the U.S., with significant enabling contributions from the public sector in the form of support and renovation of historic theaters, such as the State and Orpheum in downtown Minneapolis. The Twin Cities dominate the state’s film and video production industry. Minneapolis’ Office of Film, Video and Recording reports that the state’s industry is worth about 249 million annually, employs 5,000 Minnesota residents. Furthermore, the music industry in the metropolitan Twin Cities area generates more than 600 million dollars annually, providing a significant talent, economic and employment base to area residents. For the economic and most importantly civic benefits the arts brings to the community that nurtures them.”

The plan has the following policy and implementation steps:

**Policy 6.5 Minneapolis will continue to promote the economic and creative vitality of arts activities based in the city, both as a regional center for art with an international presence as well as a unique arts environment that responds to local specialty interests.**

**Implementation Steps**

Enhance the city's unique arts and cultural resources that promote the city’s identity within the region and in special 'niches' within the arts community.

Encourage the growth of the film and video industry in Minneapolis by promoting the city to a national film and video production audience.

Position the Arts Commission to act as a liaison between all city agencies that sponsor public arts activities in order to enhance the cultural life and enrich the experience of citizens through the arts.

Develop closer collaboration among the Arts Commission, the Heritage Preservation Commission, the Committee on Urban Environment and the City Planning Commission.

The City Form chapter of *The Minneapolis Plan* has the following statement about institutional uses:

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“Other significant changes to the city's features have come hand-in-hand with increased economic prosperity. As the city grew, so too did many of its founding institutions. Educational institutions, hospitals and corporations expanded and increased their presence in city neighborhoods, and residents and business owners grappled with the challenge of accommodating expansion and change in a compatible, mutually advantageous way. Vital, healthy institutions bring tremendous stability and presence to any city neighborhood. Balancing the need for expansion with the scale and character of pedestrian or other street level activity in city neighborhoods is a critical issue for both the livability of city neighborhoods surrounding institutions and the continued success of these organizations.”

The plan has the following policy and implementation steps:

**Policy 9.7 Minneapolis will work with institutional partners to assure that the scale and form of new development or expansion will occur in a manner most compatible with the surrounding area.**

**Implementation Steps**

Concentrate the greatest density and height in the interior of institutional campuses.

Develop building forms on the edges of institutional property which are most reflective of neighboring properties.

While the plan recommends concentrating density at the interior of campuses, the proposed addition meets the height requirements and established setbacks of the OR3 District. The design has been found to be appropriate for the area by the Heritage Preservation Commission. With proper conditions of approval the proposed expansion can be in conformance with the above noted policies of the comprehensive plan.

**6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit/planned unit development and site plan review.**

The parking and the loading area drive width do not meet code requirements and will need to have adjustments approved by the Planning Commission.

**Exceptions to the Zoning Ordinance standards:** Chapter 527, Planned Unit Developments authorizes the City Planning Commission to approve exceptions to the zoning regulations that are applicable to the zoning district in which the development is located upon a finding that adequate site amenities to address the adverse impacts are provided.

**Driveway width:** Driveway width in the OR2 and OR3 Districts is limited to 25 feet. The loading dock area has two driveways that are approximately 35 feet in width at the sidewalk. This width is necessary for truck maneuvering. Staff recommends granting the increase in width. An 11-foot wide island is provided between the cuts for pedestrians. In addition, decorative pavers will be used on the east side of the sidewalk instead of asphalt or concrete as an amenity to allow the wider drives.

**Off-street parking:** There are three institutions on the block between Stevens and 3<sup>rd</sup> and 24 and 26<sup>th</sup> Streets. They are the Minneapolis Institute of Arts (MIA), the Children's Theater (CTC), and the

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Minneapolis College of Art and Design (MCAD). The Minneapolis Zoning code would require approximately 1,700 parking spaces for the expanded MIA, approximately 238 for the CTC (before its expansion). Approximately 98 spaces are required for MCAD. The MIA and CTC will have 625 parking spaces available after the MIA expansion. MCAD utilizes spaces in the ramp, but has its own surface parking as well.

The MIA has worked with the City to develop a Travel Demand Management (TDM) plan. The goals of this TDM Plan are as follows:

- Support the City's transportation goals as outline in *The Minneapolis Plan* and the *Downtown 2010 Plan*.
- Encourage employees and visitors to use alternative modes of transportation.
- Identification of actions to be taken to manage and minimize trip and parking generation by the facility.

The final TDM plan estimates that there is sufficient off-street parking to support the peak operations of any one of the three institutions. However, when more than one institution has a major event at the same time there is significant on-street spillover. Therefore, the TDM recommends that the three institutions work together to coordinate their major events and that they explore remote parking and shuttling options for major campus events. Parking demand can match parking supply if the steps outlined in the TDM are followed. Staff recommends granting the parking exception down to the 625 spaces, subject to the proposed actions in the TDM plan (pages 14-16). Please see attached TDM plan for more details.

**Findings Required For Planned Unit Developments:**

In addition to the conditional use permit standards contained in Chapter 525, before approval of a planned unit development the city planning commission also shall find:

- 1. That the planned unit development complies with all of the requirements and the intent and purpose of this chapter. In making such determination, the following shall be given primary consideration:**
  - a. The character of the uses in the proposed planned unit development, including in the case of a planned residential development the variety of housing types and their relationship to other site elements and to surrounding development.**
  - b. The traffic generation characteristics of the proposed planned unit development in relation to street capacity, provision of vehicle access, parking and loading areas, pedestrian access and availability of transit alternatives.**
  - c. The site amenities of the proposed planned unit development, including the location and functions of open space and the preservation or restoration of the natural environment or historic features.**

- d. **The appearance and compatibility of individual buildings and parking areas in the proposed planned unit development to other site elements and to surrounding development, including but not limited to building scale and massing, microclimate effects of the development, and protection of views and corridors.**
- e. **The relation of the proposed planned unit development to existing and proposed public facilities, including but not limited to provision for stormwater runoff and storage, and temporary and permanent erosion control.**

The Heritage Preservation Commission has approved the design of the building and issued a certificate of appropriateness. A Travel Demand Management plan will be approved to address traffic and parking issues. Public Works has approved the design of the loading area and access. The site will have landscaping on all sides and a large interior courtyard. The parking lots shall be landscaped per the requirements of the site plan review chapter. The site is required to comply with the City's stormwater management and erosion control ordinances. Public Works has given a preliminary review to these items and finds them acceptable. Public Works will approve the stormwater management and erosion control plans at the final site plan stage.

**2. That the planned unit development complies with all of the applicable requirements contained in Chapter 598, Land Subdivision Regulations.**

The parcel of land that the MIA stands on is owned by the Park Board and is one unified parcel so a subdivision is not necessary. The parking ramp, the parking lot at the northeast corner of 3<sup>rd</sup> Avenue and 24<sup>th</sup> Street, and the parking lot at the southeast corner of 3<sup>rd</sup> Avenue and 25<sup>th</sup> Street are made up of several lots all combined as tax parcels. These lots should be platted as single lots. This would not have to be done before construction begins on the MIA, but should be done by September 30, 2003.

**SITE PLAN REVIEW**

The parking lot at the northeast corner of East 24<sup>th</sup> Street and 3<sup>rd</sup> Avenue South is subject to site plan review. It received site plan review approval in 2001 and it is in compliance with this approval. The parking lot at the southeast corner of East 25<sup>th</sup> Street and 3<sup>rd</sup> Avenue South is subject to site plan review and approval. It is in compliance except for three items. The first is the required 3-foot high screen along the street frontages. The second is the required 4 to 6-foot screen on the east and south sides along the residential properties. The third is the required number of trees are not provided. The applicant shall submit a site plan that shows these items and shall install the improvements by September 30, 2003. The site plan review findings below are for the MIA expansion.

**Required Findings for Major Site Plan Review**

**A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review.**

(See Section A Below for Evaluation.)

- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan. (See Section B Below for Evaluation.)**
- C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)**

### **Section A: Conformance with Chapter 530 of Zoning Code**

#### **BUILDING PLACEMENT AND FAÇADE:**

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building façade shall provide architectural detail and shall contain windows at the ground level or first floor.
- In larger buildings, architectural elements shall be emphasized.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited where visible from a public street or a residence or office residence district.
- Entrances and windows:
  - Residential uses shall be subject to section 530.110 (b) (1).
  - Nonresidential uses shall be subject to section 530.110 (b) (2).
- Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

The building will be located up to the setback lines on Stevens Avenue. The main entrance will remain on 24<sup>th</sup> Street and 3<sup>rd</sup> Avenue. The area between the building and the public sidewalk will be landscaped. The exterior materials will be compatible on all sides of the building. The design has been approved by the HPC. The proposed building meets the window requirements of the code on the Stevens Avenue frontage.

#### **ACCESS AND CIRCULATION:**

- Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.
- Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.



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- Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.
- Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.140 (b).
- Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.
- Site plans shall minimize the use of impervious surfaces.

Public Works and the Fire Department have reviewed the access and circulation and find it acceptable. Parking and traffic issues are addressed in the TDM plan. The use is required to have one large loading dock and two small loading docks. These are provided. There should be adequate room for snow storage, but this shall be addressed on the final site plan.

#### **LANDSCAPING AND SCREENING:**

- The composition and location of landscaped areas shall complement the scale of the development and its surroundings. Not less than twenty (20) percent of the site not occupied by buildings shall be landscaped as specified in section 530.150 (a).
- Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b)
- Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.
- Required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:
  - A decorative fence, a masonry wall, a hedge.
- Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.160 (b).
- Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).
- The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.
- Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.
- All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.
- All other areas not governed by sections 530.150, 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.
- Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.220.
- The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.60, as provided in section 530.230

Over 20 percent of the site is landscaped. The loading area shall be landscaped per the code. The City's landscaping consultant has reviewed the landscaping plan and finds it acceptable. Staff recommends additional plantings on the west side of the new addition for the entire length of the building running

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north from loading dock drive. This landscaping would be similar to the plantings along the building south of the loading dock drives. There is a large elm tree on the north side of the loading dock driveway along Stevens Avenue that will be effected by the construction. Park Board staff have indicated that MIA is working with them to preserve the tree. MIA will have to preserve a large enough portion of the root structure to ensure that it will remain stable and viable.

**ADDITIONAL STANDARDS:**

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **Buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260.**
- **Site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

The parking lot will be screened to prevent headlights from shining on adjacent properties. The lighting will comply with Chapters 535 and 541 including the following standards:

**535.590. Lighting.** (a) In general. No use or structure shall be operated or occupied as to create light or glare in such an amount or to such a degree or intensity as to constitute a hazardous condition, or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities, or otherwise as to create a public nuisance. (b) Specific standards. All uses shall comply with the following standards except as otherwise provided in this section:

- (1) Lighting fixtures shall be effectively shielded and arranged so as not to shine directly on any residential property. Lighting fixtures not of a cutoff type shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb).
- (2) No exterior light source located on a nonresidential property shall be visible from any permitted or conditional residential use.
- (3) Lighting shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility from any permitted or conditional residential use.
- (4) Lighting shall not directly or indirectly cause illumination or glare in excess of one-half (1/2) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light.
- (5) Lighting shall not create a hazard for vehicular or pedestrian traffic.
- (6) Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

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The buildings have been arranged to minimize the generation of wind currents at ground level. The building will shadow the residential structures to the west at various times. A shadow study will be available at the Planning commission meeting. While the building will cast shadows, it meets the height limits and setback requirements for the OR3 District. The City's CPTED officer has recommended that all plantings follow the 3' – 7' rule to allow visibility into the site and that lighting be provided for security purposes near the docks and in the courtyard.

**Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan**

**ZONING CODE:**

**Hours Open to the Public:** Hours that the facility can be open to the public in the OR3 District are 7:00 a.m. to 10:00 p.m. Sunday through Thursday and 7:00 a.m. to 11:00 p.m. Friday and Saturday. MIA is open Tuesday, Wednesday, and Saturday from 10:00 a.m. to 5:00 p.m.; Thursday and Friday from 10:00 a.m. to 9:00 p.m.; Sunday from noon to 5:00 p.m.; and is closed on Monday.

**Dumpster screening:** Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. All trash containers will be stored inside and those that are outside will be screened per code.

**Signage:** The signage plan is not yet finalized, but a master sign plan is required at the final site plan stage. The parking lot at the northeast corner of 3<sup>rd</sup> Avenue and East 24<sup>th</sup> Street and at the southeast corner of 3<sup>rd</sup> Avenue and East 25<sup>th</sup> Street shall be included in this plan. All new signage will require Zoning Office review and approval and permits. The signage for the lot at the northeast corner of 3<sup>rd</sup> Avenue and 24<sup>th</sup> Street has not received permits. The MIA shall apply for permits for this lot by October 30, 2002.

**MINNEAPOLIS PLAN:**

Please see the comprehensive plan sections of this staff report.

**Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council**

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There are no development plans or objectives approved by the City Council for this specific area beyond the Comprehensive Plan.

**Alternative Compliance. The Planning Commission may approve alternatives to any major site plan review requirement upon finding any of the following:**

- The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.
- Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.
- The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.

Alternative compliance is not necessary for this site.

**Recommendation Of The Minneapolis City Planning Department:**

**PLANNED UNIT DEVELOPMENT**

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit/planned unit development application with the parking reduction and driveway width adjustments for the Minneapolis Institute of Arts located at 2400 3<sup>rd</sup> Avenue South subject to the approval of the site plan review.

**SITE PLAN REVIEW**

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for the Minneapolis Institute of Arts located at 2400 3<sup>rd</sup> Avenue South subject to the following conditions:

- 1) Approval of the Planned Unit Development.
- 2) Staff review and approval of the final site, landscaping, lighting, and snow storage and removal plans

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before permits may be issued and construction may begin. All site improvements shall be completed by September 30, 2004 (unless extended by the Zoning Administrator) or permits may be revoked for noncompliance.

- 3) The site improvements for the parking lot at the southeast corner of 3<sup>rd</sup> Avenue South and east 25<sup>th</sup> Street shall be completed by September 30, 2003 (unless extended by the Zoning Administrator) or permits may be revoked for noncompliance.
- 4) If estimated site improvement costs for landscaping exceed \$2,000, the applicant shall submit a performance bond in the amount of 125% of the estimate before permits may be issued.
- 5) Additional landscape plantings along the west side of the new addition as detailed in the landscaping section of this report.
- 6) Screening of all mechanical equipment per Section 535.70 of the zoning code.
- 7) Outdoor parking of trucks is subject to Section 547.80 that states "Outdoor parking of trucks and other commercial vehicles shall be limited to operable, single rear axle vehicles of not more than 15,000 pounds gross vehicle weight. Such vehicles shall be parked in an enclosed structure. These regulations shall apply only to vehicles that are parked regularly at a site and shall not apply to pick-up and delivery activities or the temporary use of vehicles during construction"
- 8) The loading dock drives shall utilize decorative pavers rather than asphalt on the east side of the public sidewalk to the loading dock doors. The public sidewalk and drive approach can be concrete per Public Works standards.
- 9) Deliveries shall be limited to between the hours of 7:00 a.m. and 9:00 p.m. The MIA shall designate staff to manage the loading area to prevent trucks from honking horns, parking in the middle of the public street, or idling on the public streets for periods greater than 15 minutes. All unloading and loading of vehicles shall occur inside the loading areas of the building.
- 10) A master sign plan is required as a part of the final site plan review and approval. The parking lots at the northeast corner of 3<sup>rd</sup> Avenue and East 24<sup>th</sup> Street and at the southeast corner of 3<sup>rd</sup> Avenue and East 25<sup>th</sup> Street shall be included in this plan. All new signage will require Zoning Office review and approval and permits. The signage for the lot at the northeast corner of 3<sup>rd</sup> Avenue and 24<sup>th</sup> Street has not received permits. The MIA shall apply for permits for this lot by October 30, 2002.
- 11) The site is subject to the City's stormwater management and erosion control ordinances.
- 12) The applicant shall work with the Park Board forestry division to try to preserve the large elm tree on Stevens Avenue South. The removal or replacement of all trees on Park Board land and in the tree boulevard require Park Board approval.
- 13) The MIA shall designate a contact to act as a liaison with surrounding neighbors to deal with issues during the construction phase. The name, phone number, and office hours of the contact shall be made available for the public at the Whittier Alliance offices.

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14) Compliance with the approved Travel Demand Management plan.